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Chapter 11 Trustee

UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA – SANTA ANA DIVISION

In re

THE LITIGATION PRACTICE GROUP,
P.C.,

Debtor.

Case No. 8:23-bk-10571-SC

Chapter 7

DECLARATION OF TRUSTEE IN LIEU
OF MONTHLY OPERATING REPORTS
FOR APRIL 2023 AND MAY 2023

I, RICHARD A. MARSHACK, declare and state as follows:

1. I am the Chapter 11 Trustee for the bankruptcy estate (“Estate”) of The Litigation Practice Group, P.C. (“Debtor”). I have personal knowledge of the facts set forth herein, and if called upon to do so, could and would competently testify to those facts.

2. Since my appointment as Chapter 11 Trustee on May 5, 2023, I have worked with my counsel and accountants to obtain the financial records of the Debtor.

3. As of the date of this declaration, we have not obtained the required and necessary information or cooperation from the Debtor. We have not received sufficient records to prepare the Chapter 11 monthly operating reports (“MORs”).

4. As the Office of the U.S. Trustee is aware, there is litigation pending between the principal of the Debtor and myself. This may explain, in part, why we are not receiving adequate cooperation from the Debtor.

1 5. The format of the U.S. Trustee's MOR form is locked and does not allow the user
2 to enter information other than in a numerical format or a "yes" or "no" response. It also
3 requires that all fields contain a response.

4 6. Due to the lack of information and cooperation from the Debtor, and the format of
5 the MOR form, I cannot answer a majority of the questions on the MOR form.

6 7. I submit this declaration in lieu of the MORs for April 2023 and May 2023.

7 8. I will file updated and complete MORs for April 2023 and May 2023 as soon as I
8 have the information needed to complete the forms.

9 9. Attached hereto as Exhibit 1 is a copy of my Form 2 which shows that the I
10 received \$2,842.09 in May 2023.

11 10. Further, now that the Estate has available funds, I will be remitting \$250 to the
12 U.S. Trustee program on account of the first quarter 2020 fee.

13 I declare under penalty of perjury that the foregoing is true and correct. Executed on June
14 15, 2023.

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16 /s/ Richard A. Marshack
17 RICHARD A. MARSHACK
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PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:
870 Roosevelt, Irvine, CA 92620

A true and correct copy of the foregoing document entitled (*specify*): **DECLARATION OF TRUSTEE IN LIEU OF MORs FOR APRIL AND MAY 2023** will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On June 14, 2023, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

☒ Service information continued on attached page

2. SERVED BY UNITED STATES MAIL:

On , I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

DEBTOR – MAIL REDIRECTED TO TRUSTEE

THE LITIGATION PRACTICE GROUP P.C.
~~17542 17TH ST~~
~~SUITE 100~~
~~TUSTIN, CA 92780-1984~~

☐ Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on , I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

June 15, 2023
Date

Pamela Kraus
Printed Name

/s/ Pamela Kraus
Signature

1. **TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):** continued:

- **INTERESTED PARTY COURTESY NEF: Eric Bensamochan** eric@eblawfirm.us, G63723@notify.cincompass.com
- **ATTORNEY FOR CREDITOR SDCO TUSTIN EXECUTIVE CENTER, INC.:** Ronald K Brown ron@rkbrownlaw.com
- **ATTORNEY FOR TRUSTEE: Christopher Celentino** christopher.celentino@dinsmore.com, caron.burke@dinsmore.com
- **INTERESTED PARTY COURTESY NEF:** Shawn M Christianson cmcintire@buchalter.com, schristianson@buchalter.com
- **ATTORNEY FOR TRUSTEE: Christopher Ghio** christopher.ghio@dinsmore.com
- **INTERESTED PARTY COURTESY NEF: Richard H Golubow** rgolubow@wghlawyers.com, jmartinez@wghlawyers.com; svillegas@wghlawyers.com
- **ATTORNEY FOR TRUSTEE:** D Edward Hays ehays@marshackhays.com, ehays@ecf.courtdrive.com; kfrederick@ecf.courtdrive.com; cmendoza@marshackhays.com; cmendoza@ecf.courtdrive.com
- **ATTORNEY FOR CREDITOR CITY CAPITAL NY:** Alan Craig Hochheiser ahochheiser@mauricewutscher.com, arodriguez@mauricewutscher.com
- **ATTORNEY FOR CREDITOR DEBT VALIDATION FUND II, LLC; CREDITOR MC DVI FUND 1, LLC; and CREDITOR MC DVI FUND 2, LLC:** Garrick A Hollander ghollander@wghlawyers.com, jmartinez@wghlawyers.com; svillegas@wghlawyers.com
- **ATTORNEY FOR DEBTOR THE LITIGATION PRACTICE GROUP P.C.:** Joon M Khang joon@khanglaw.com
- **INTERESTED PARTY COURTESY NEF: David S Kupetz** David.Kupetz@lockelord.com, mylene.ruiz@lockelord.com
- **INTERESTED PARTY COURTESY NEF: Christopher J Langley** chris@slclawoffice.com, omar@slclawoffice.com; langleycr75251@notify.bestcase.com; ecf123@casedriver.com
- **INTERESTED PARTY COURTESY NEF: Michael D Lieberman** mlieberman@lipsonneilson.com
- **CHAPTER 11 TRUSTEE RICHARD A MARSHACK (TR):** Richard A Marshack (TR) pkraus@marshackhays.com, rmarshack@iq7technology.com; ecf.alert+Marshack@titledxi.com
- **ATTORNEY FOR TRUSTEE:** Laila Masud lmasud@marshackhays.com, lmasud@ecf.courtdrive.com; kfrederick@ecf.courtdrive.com
- **US TRUSTEE: Kenneth Miskin** Kenneth.M.Miskin@usdoj.gov
- **INTERESTED PARTY COURTESY NEF:** Byron Z Moldo bmoldo@ecjlaw.com, amatsuoka@ecjlaw.com, dperez@ecjlaw.com
- **INTERESTED PARTY COURTESY NEF:** Alan I Nahmias anahmias@mbn.law, jdale@mbnlawyers.com
- **ATTORNEY FOR US TRUSTEE:** Queenie K Ng queenie.k.ng@usdoj.gov
- **INTERESTED PARTY COURTESY NEF: Douglas A Plazak** dplazak@rhlaw.com
- **INTERESTED PARTY COURTESY NEF:** Ronald N Richards ron@ronaldrichards.com, 7206828420@filings.docketbird.com
- **INTERESTED PARTY COURTESY NEF: Gregory M Salvato** gsalvato@salvatoboufadel.com, calendar@salvatolawoffices.com; jboufadel@salvatoboufadel.com; gsalvato@ecf.inforuptcy.com
- **INTERESTED PARTY COURTESY NEF:** Paul R Shankman PShankman@fortislaw.com, info@fortislaw.com
- **INTERESTED PARTY COURTESY NEF: Andrew Still** astill@swlaw.com, kcollins@swlaw.com
- **US TRUSTEE:** United States Trustee (SA) ustprejon16.sa.ecf@usdoj.gov